

to the Governor for his approval on the 20th day of May, A. D. 1899, and entitled 'An Act providing a mode by which horses, mules, jacks, jennets and cattle may be prevented from running at large in the following counties or in any subdivision of said counties, viz.: Cook, Bell, Ellis, Montague, Fayette, Johnson, Collin, Rockwall, Lamar, Milam, Denton, Falls, Navarro, Fannin, Hunt, Tarrant, Grayson, Guadalupe, Dallas, Austin, Brazos, so as to place Lavaca, Colorado, Washington, Williamson, Smith and Delta counties under the provisions of said charter, so as to place McLennan, San Patricio, Limestone, Coryell, Kaufman, Rains, Bastrop, Bee, Camp, Calwell, Calhoun, Cass, Comanche, Erath, Hill, Harrison, Hopkins, Jackson, Bosque, Montgomery, Morris, Upshur, Parker, Rusk, Red River, Titus, Trinity, Victoria, Van Zandt, Wise, Walker, Wood, Wilson, Comal, Nueces, Bexar, Eastland, Cherokee and Travis counties under the provisions of said chapter, and to provide for the holding of an election for the purpose of enabling the freeholders of such counties or subdivisions thereof as may have adopted said law to repeal the same,' so as to place Brown, Blanco, Coleman, Callahan, Franklin, Gillespie, Hood, Llano, Jones, Jack, Scurry, Somerville and Taylor under the provisions of said chapter, and to exempt therefrom the counties of Bee, Calhoun, Jackson, Montgomery, Trinity, Victoria and Walker; and to provide for the holding of an election for the purpose of enabling the freeholders of such counties or subdivisions thereof as may have adopted said law to repeal the same.'

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

BRACHFIELD, Chairman.

#### TWENTY-THIRD DAY.

Senate Chamber,

Austin, Texas, Thursday, Feb. 9, 1905.

Senate met pursuant to adjournment, Lieutenant Governor Geo. D. Neal in the chair.

Roll call, quorum present, the following Senators answering to their names:

Barrett.	Hicks.
Beaty.	Hill.
Brachfield.	Holland.
Chambers.	Looney.
Decker.	Martin.
Faust.	McKamy.
Glasscock.	Paulus.
Griggs.	Skinner.
Grinnan.	Smith.
Hale.	Stafford.
Hanger.	Stokes.

Harbison.	Stone.
Harper.	Terrell.
Hawkins.	Willacy.

Absent.

Davidson.	Faulk.
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Absent—Excused.

Meachum.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Stone the same was dispensed with.

#### PETITIONS AND MEMORIALS.

Senator Hawkins offered the following petition:

To the Honorable Legislature of the State of Texas:

We, the undersigned citizens of Martin county, Texas, hereby petition your honorable body to pass a road law giving power to the commissioners court to condemn land in order to open a road to any one hemmed in or shut off from his postoffice, school or church, and that such road may be opened at any regular or called session of the commissioners court after giving due notice to the owner of the land over which such proposed road is to run, that the commissioners court will take action on such matter at a certain given date.

Numerously signed.

#### EXCUSED.

On motion of Senator Harper, Senator Paulus was excused from attendance upon the Senate for yesterday, on account of business.

(See Appendix for standing committee reports.)

#### BILLS AND RESOLUTIONS.

By Senator Glasscock:

Senate bill No. 182, a bill to be entitled "An Act to provide for the classification, sale and lease of the public free school and asylum lands and to prevent the unlawful enclosure, use and occupancy of the same, and to repeal Chapter 12a of the Revised Civil Statutes, and the act of May, 1897, Chapter 129, of the Twenty-fifth Legislature, and Sections 5, 6, 7 and 8, Chapter 11, act of February 23, 1900, of the first called session of the Twenty-sixth Legislature, and the act of April 15, 1901, Chapter 88, Twenty-seventh Legislature, and the act of April 19, 1901, Chapter 125, Twenty-seventh Legislature, and to repeal all other laws in conflict herewith."

Read first time, and referred to Committee on State Affairs.

By Senator Stone:

Senate bill No. 183, a bill to be entitled "An Act to more succinctly declare what is sufficient evidence of title to enable owners of land to redeem under sales for taxes."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Terrell:

Senate bill No. 184, a bill to be entitled "An Act to remit penalties on certain patents and to authorize the Commissioner of the General Land Office to deliver to the owner of the land the patent therefor upon payment of patent fee."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Terrell:

Senate bill No. 185, a bill to be entitled "An Act to amend Articles 3498f, 3498g and 3498e, and to repeal Article 3498m, Revised Civil Statutes of Texas, relating to the sale of mineral land."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Hill:

Senate bill No. 186, a bill to be entitled "An Act to amend the charter of the city of El Paso, entitled 'An Act to incorporate the city of El Paso and grant it a new charter,' approved March 2, 1889, as amended by an act entitled 'An Act to amend Sections 7 and 137, 138, 139, 140, 141 and 142, of an act entitled 'An Act to grant a new charter to the city of El Paso,' became effective April 26, 1889, and the acts amendatory thereof, relating to streets, alleys, sidewalks and other public improvements, and the levy and collection of a tax to pay therefor, and fixing the time of holding elections, passed at the regular session of the Twenty-sixth Legislature, and to provide a just and effective law for making necessary street improvements and paying the cost of the same, by adding to said city charter of the city of El Paso Section 148a, inclusive, and by repealing all laws and parts of laws in conflict with such added sections, and to declare an emergency."

Read first time, and referred to the Committee on Towns and City Corporations.

By Senator Barrett:

Senate bill No. 187, a bill to be entitled "An Act to provide for working short term convicts on the public roads, and other public roads and other public works of the counties of the State."

Read first time, and referred to the Committee on State Affairs.

By Senator Hill:

Senate bill No. 188, a bill to be entitled "An Act to subject executors and administrators to the process of garnishment."

Read first time, and referred to the Judiciary Committee No. 1.

#### BILLS SIGNED.

The Chair (Lieutenant Governor Neal) gave notice of signing, and did sign in the presence of the Senate, after their captions had been read.

House bill No. 73, a bill to be entitled "An Act to restore and confer upon the County Court of Franklin county the civil and criminal jurisdiction heretofore belonging to said court under the Constitution and General Statutes of Texas; to define the jurisdiction of said court; to conform the jurisdiction of the District Court of said county to such change; to fix the time of holding court, and to repeal all laws in conflict with this act."

House bill No. 91, a bill to be entitled "An Act to amend Article 2939 of the Revised Civil Statutes of the State of Texas, relating to legal holidays, and amending the Statutes so as to make June 3 a State holiday in honor of Jefferson Davis, President of the Confederate States of America, the same being the anniversary of his birth."

Morning call concluded.

#### SENATE BILL NO. 152.

On motion of Senator Griggs, the special order of business (Senate bill No. 70) was suspended, and the Senate took up, out of its order, Senate bill No. 152.

The Chair laid before the Senate, on second reading,

Senate bill No. 152, a bill to be entitled "An Act authorizing, under certain conditions, the county commissioners court to provide private roadways, and declaring an emergency."

Bill was read second time and ordered engrossed.

On motion of Senator Griggs the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Barrett.	Hicks.
Beaty.	Hill.
Chambers.	Holland.
Decker.	Looney.
Faust.	Martin.
Glasscock.	McKamy.
Griggs.	Paulus.
Grinnan.	Smith.
Hale.	Stafford.
Hanger.	Stokes.
Harbison.	Stone.
Harper.	Terrell.
Hawkins.	Willacy.

Absent.  
Brachfield. Faulk.  
Davidson. Skinner.  
Absent—Excused.  
Meachum.

The bill was read third time, and passed by the following vote:

Yeas—27.  
Barrett. Hill.  
Beaty. Holland.  
Chambers. Looney.  
Decker. Martin.  
Faust. McKamy.  
Glasscock. Paulus.  
Griggs. Skinner.  
Grinnan. Smith.  
Hale. Stafford.  
Hanger. Stokes.  
Harbison. Stone.  
Harper. Terrell.  
Hawkins. Willacy.  
Hicks.

Absent.  
Brachfield. Faulk.  
Davidson.  
Absent—Excused.  
Meachum.

Senator Griggs moved to reconsider the vote by which the bill was passed, and lay that motion on the table.  
The motion to table prevailed.

#### SENATE BILL NO. 70.

The Chair laid before the Senate, on second reading, as special order.

Senate bill No. 70, a bill to be entitled "An Act to authorize the Texas and New Orleans Railroad Company to sell the line of railroad now owned by it, extending from the city of Dallas to Sabine Pass, with the franchise and other property thereunto appertaining, to any railroad company heretofore incorporated under the laws of this State which does not own or have under its control a parallel or competing line, or to any railroad company which may be hereafter incorporated under the laws of this State with power to operate a railroad between the city of Dallas and Sabine Pass, and to authorize any such railroad company to purchase, own and operate said line of railroad with the franchises and other property thereunto appertaining."

Senator Looney offered the following amendment:

Amend bill by adding the following as Section 5 and change the number of succeeding sections to conform to same.

Section 5. No railroad or other corporation, organized under the laws of this State, or of any other State, or

of the United States, which owns the stock of, or the property or franchise of any parallel or competing line of railway, shall be authorized to purchase the railway property of the Texas and New Orleans Railway Company herein authorized to be sold. The Railroad Commission of Texas is hereby vested with full power to review any sale of said property and shall have access to all papers, contracts or agreements of sale or transfer to enable it to determine whether any sale proposed to be made, is or will in good faith be a transfer of such property to an independent and competing corporation or owner, and the Texas and New Orleans Railroad Company is hereby required to submit any and all such contracts or agreements of sale together with the name of the purchasing corporation and a list of their stockholders of record at the time of said purchase, to enable the Railroad Commission of Texas to determine whether such sale is in conformity with this act. If said Railroad Commission of Texas finds from the evidence submitted to it as required above, or that may be secured by it, that such sale would not in good faith transfer the ownership, control and management of same to an independent ownership and management and to a competing corporation, then such sale shall not be confirmed, and the Railroad Commission of Texas shall enter its order disapproving of such sale or transfer under the terms of this act, and shall file with the Secretary of State its findings and order disapproving said sale, and in that event such sale shall be void. If such sale is approved by the Railroad Commission of Texas, its order of approval shall be filed and recorded in the office of the Secretary of State.

The amendment was adopted.

Senator Hawkins offered the following amendment:

Amend by striking out the amendment recommended by the committee.

Senator Hanger moved to table the amendment, and

Senator Smith made a point of order, that the vote by which the committee report was adopted would have to be reconsidered and could not be amended.

The Chair sustained the point of order, and

Senator Hanger raised the point of order that the committee report was adopted more than three days ago, which made the motion to reconsider the vote too late.

The Chair sustained the point of order.

Senator Looney moved to recommit the bill, and

Senator Hanger moved to table that motion.

The motion to table prevailed by the following vote:

## Yeas—16.

Barrett.	Hanger.
Beaty.	Hawkins.
Brachfield.	Hicks.
Chambers.	Holland.
Decker.	Stafford.
Faust.	Stokes.
Griggs.	Stone.
Hale.	Willacy.

## Nays—11.

Glasscock.	McKamy.
Grinnan.	Paulus.
Harper.	Skinner.
Hill.	Smith.
Looney.	Terrell.
Martin.	

## Absent.

Davidson.	Faulk.
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## Absent—Excused.

Harbison.

Senator Hawkins offered the following amendment:

Amend the bill by striking out of the bill the following:

"Provided, that the said Texas and New Orleans Railway Company shall, in addition to the conditions of said bill hereinbefore stated, be required to carry free of charge over its lines all members of either branch of the Legislature of the State of Texas, the Governor, Lieutenant Governor, Attorney General, State Treasurer, State Comptroller, Commissioner of the General Land office, Superintendent of Public Instruction, Commissioner of Insurance, Statistics and History and members of the Railway Commission, each for the time which said parties shall respectively hold a commission as officers of the State of Texas as above named. Said officers shall need no further evidence of their right to said free transportation other than to present their certificate of election properly certified by the Secretary of State of the State of Texas. And in addition to the foregoing requirements they shall carry free of charge all sheriffs of the State of Texas, and said sheriffs shall need no other evidence of their right to said free transportation than the certificate of their election duly certified by the county judge and commissioners court of the county of which he is sheriff."

Pending.

Senator Harper moved to postpone consideration on the bill until Tuesday morning and make it a special order after morning call.

The motion prevailed.

## SENATE BILL NO. 141.

The Chair laid before the Senate, on second reading,

Senate bill No. 141, a bill to be entitled "An Act authorizing the Superintendent of Public Instruction to issue certificates to persons holding diplomas issued to them by colleges, universities and institutions of learning in Texas,"

With the following pending amendment:

Amend by striking out all after line 10, and insert the following:

"That the diplomas of any college, university or institution of learning in this State whose curricula are found by the State Board of Examiners to be as high as the Normal Schools of this State, and shall be approved by said board, shall upon presentation thereof to the Superintendent of Public Instruction, entitle the person to whom such diploma is issued a permanent certificate to teach in this State; provided, that the graduates who have not had at least two years teaching experience shall only be entitled to receive a first grade certificate.

"Sec. 2. The fact that there is no law authorizing the issuance of certificates to teach to persons holding diplomas issued to them by colleges and universities in this State creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule requiring bills to be read on three several days in each House, and it is enacted that such rule be and is hereby suspended and that this act take effect from and after its passage."

Senator Harper offered the following amendment to the amendment:

Amend after the word "State," in line 16, by inserting the following:

"Provided, such applicant shall have undergone an examination before a county board of examiners and made the average grades to entitle such applicant to a first grade certificate under the laws of this State," and,

Senator Smith offered the following substitute for the amendment and the amendment to the amendment:

Amend by inserting after the word "State," in line 14, the following: "And such applicant shall have undergone an examination before a county board of examiners upon questions prepared by the State Superintendent, and made the average grades in all the branches required to obtain a permanent State certificate, and the result of such examination shall be by said board reported to the State Superintendent and by him approved before the applicant;" and insert the word

"be" before the word "entitle," in line 15.

Senator Hale raised the point of order that the substitute amendment sought to amend the amendment and the bill.

The Chair ruled the Senator out of order.

(Senator Stafford in the chair.)

Senator Grinnan moved to table the substitute by Senator Smith.

The motion was lost by the following vote:

Yeas—7.

Brachfield,	Hawkins.
Grinnan.	Stokes.
Hale,	Stone.
Hanger.	

Nays—17.

Barrett.	Holland.
Beaty.	Looney.
Chambers.	McKamy.
Decker.	Skinner.
Faust.	Smith.
Glasscock.	Stafford.
Griggs.	Terrell.
Harper.	Willacy.
Hicks.	

Absent.

Davidson.	Hill.
Faulk.	Martin.
Harbison.	Paulus.

Absent—Excused.

Meachum.

The substitute to the amendment was then adopted and the amendment as substituted was then adopted.

Senator Harper offered the following amendment:

Amend the bill by inserting at the end of Section 1, the following: "Provided that graduates of the Agricultural and Mechanical College of Texas shall be entitled to teach in the public schools of this State, and a diploma issued by the Agricultural and Mechanical College shall entitle the holder to a permanent certificate upon application to the State Superintendent."

The amendment was lost.

Senator Terrell offered the following amendment:

Amend by adding on line 17, the following, to wit: "Provided that all persons who have continuously for ten years prior to the time this law goes into effect, held a first grade certificate or a second grade certificate or a third grade certificate shall be entitled to a certificate of the grade so continuously held, for life, and the Superintendent of Public Instruction, shall, upon receiving affidavit from such person

that they have so continuously held either a first, second or third grade certificate for the last ten years, shall issue to such person a certificate for life, of the grade so continuously held for ten years.

Senator Grinnan made a point of order that the amendment was not germane to the bill, and

The Chair sustained the point of order.

Senator Barrett moved that the bill be referred to a joint committee of the Senate and House.

The motion was, on motion of Senator Grinnan, tabled.

Senator Chambers offered the following amendment:

Amend the bill by striking out the word "be" on line 10.

On motion of Senator Grinnan, the amendment was tabled.

Senator Skinner moved that further consideration of the bill be postponed and that the bill be, as amended, published in the Journal.

On motion of Senator Grinnan, the motion was tabled. A rising vote was taken.

Bill read second time and ordered engrossed.

Senator Grinnan moved that the constitutional rule requiring bills to be read on three several days be suspended and the bill be put on its third reading and final passage.

The motion was lost by the following vote:

Yeas—18.

Barrett.	Hicks.
Brachfield.	Holland.
Faust.	Looney.
Glasscock.	Martin.
Grinnan.	McKamy.
Hale.	Smith.
Hanger.	Stokes.
Harper.	Stone.
Hawkins.	Willacy.

Nays—8.

Chambers.	Paulus.
Decker.	Skinner.
Griggs.	Stafford.
Hill.	Terrell.

Absent.

Beaty.	Faulk.
Davidson.	Harbison.

Absent—Excused.

Meachum.

COMMITTEE SUBSTITUTE SENATE BILL NO. 45.

On motion of Senator Glasscock, the regular order of business (Senate bill No. 43) was suspended, and the Senate took up, out of its order, Senate bill No. 45, by the following vote:

## Yeas—25.

Barrett.	Holland.
Brachfield.	Looney.
Chambers.	Martin.
Faust.	McKamy.
Glasscock.	Paulus.
Griggs.	Skinner.
Grinnan.	Smith.
Hale.	Stafford.
Hanger.	Stokes.
Harper.	Stone.
Hawkins.	Terrell.
Hicks.	Willacy.
Hill.	

## Absent.

Beaty.	Faulk.
Davidson.	Harbison.
Decker.	

## Absent—Excused.

Meachum.

The Chair laid before the Senate, on second reading,

Senate bill No. 45, a bill to be entitled "An Act to amend Article 3611, Title LXXVII, Chapter 1, of the Revised Civil Statutes."

On motion of Senator Glasscock, the committee substitute bill was adopted.

The Chair then laid before the Senate, on second reading, committee substitute bill No. 45.

The bill was read second time and ordered engrossed.

## HOUSE BILL NO. 86—PASSAGE OF.

On motion of Senator Stokes the regular order of business (Senate bill No. 43) was suspended, and the Senate took up, out of its order, House bill No. 86 by the following vote:

## Yeas—25.

Barrett.	Holland.
Brachfield.	Looney.
Chambers.	Martin.
Decker.	McKamy.
Faust.	Paulus.
Glasscock.	Skinner.
Griggs.	Smith.
Grinnan.	Stafford.
Hale.	Stokes.
Hanger.	Stone.
Harper.	Terrell.
Hawkins.	Willacy.
Hill.	

## Absent.

Beaty.	Harbison.
Davidson.	Hicks.
Faulk.	

## Absent—Excused.

Meachum.

The Chair laid before the Senate, on second reading,

House bill No. 86, "An Act to create a more efficient road system for Cherokee and Wood counties."

Bill read second time, and passed to a third reading.

On motion of Senator Stokes the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

## Yeas—24.

Brachfield.	Hill.
Chambers.	Holland.
Decker.	Looney.
Faust.	Martin.
Glasscock.	McKamy.
Griggs.	Paulus.
Grinnan.	Skinner.
Hale.	Stafford.
Hanger.	Stokes.
Harper.	Stone.
Hawkins.	Terrell.
Hicks.	Willacy.

## Absent.

Barrett.	Faulk.
Beaty.	Harbison.
Davidson.	Smith.

## Absent—Excused.

Meachum.

The bill was read third time, and passed by the following vote:

## Yeas—25.

Brachfield.	Holland.
Chambers.	Looney.
Decker.	Martin.
Faust.	McKamy.
Glasscock.	Paulus.
Griggs.	Skinner.
Grinnan.	Smith.
Hale.	Stafford.
Hanger.	Stokes.
Harper.	Stone.
Hawkins.	Terrell.
Hicks.	Willacy.
Hill.	

## Absent.

Barrett.	Faulk.
Beaty.	Harbison.
Davidson.	

## Absent—Excused.

Meachum.

Senator Stokes moved to reconsider the vote by which the bill was passed, and lay that motion to the table.

The motion to table prevailed.

## HOUSE BILL NO. 81.

On motion of Senator Hill, the regular order of business (Senate bill No. 43) was suspended, and the Senate took up, out of its order, House bill No. 81.

The Chair laid before the Senate, on second reading,

House bill No. 81, a bill to be entitled "An Act to amend Article 883 of Chapter 11 of the Penal Code of the State of Texas, relating to the theft of animals, and providing a penalty therefor."

The bill was read second time and passed to a third reading.

## SENATE BILL NO. 63—PASSAGE OF.

The Chair laid before the Senate, on its third reading,

Senate bill No. 63, a bill to be entitled "An Act to compel railroads and railway corporations to erect and maintain water closets at passenger stations, to regulate the same, to fix penalties and authorize suits therefor, with an emergency clause."

The bill was read third time and passed.

Senator Smith moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SUBSTITUTE SENATE BILL NO. 43  
—PASSAGE OF.

The Chair laid before the Senate, on its third reading,

Substitute Senate bill No. 43, a bill to be entitled "An Act relating to State and county finances, providing for a system of State and county depositories for State and county funds, and to repeal all laws and parts of laws in conflict herewith."

The bill was read third time and passed.

Senator Hawkins moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 146—ON THIRD  
READING.

The Chair laid before the Senate, on its third reading,

Senate bill No. 146, a bill to be entitled "An Act to amend Article 2462,

Title XLV, Chapter 3, of the Revised Statutes of 1895."

(Lieutenant Governor Neal in the chair.)

The bill was read third time and passed by the following vote:

## Yeas—19.

Barrett.	Holland.
Beaty.	Martin.
Brachfield.	McKamy.
Chambers.	Skinner.
Faust.	Stafford.
Griggs.	Stokes.
Grinnan.	Stone.
Hanger.	Terrell.
Hicks.	Willacy.
Hill.	

## Nays—7.

Glasscock.	Looney.
Hale.	Paulus.
Harper.	Smith.
Hawkins.	

## Absent.

Davidson.	Faulk.
Decker.	Hanger.

## Absent—Excused.

Meachum.

Senator Hicks moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## SIMPLE RESOLUTIONS.

Senator McKamy offered the following resolution:

Resolved, That the resolution adopted on the second day of the session, providing for typewriters, be amended so as to read as follows: That the Committee on Contingent Expenses be instructed to procure seven typewriters for the use of the stenographers elected.

Laid on table subject to call.

SENATE BILL NO. 149—ON THIRD  
READING.

The Chair laid before the Senate, on third reading,

Senate bill No. 149, a bill to be entitled "An Act to prohibit a defendant convicted of a felony to enter into a recognizance or bail bond, pending his appeal, and prescribing the requisites of a recognizance or bail bond sufficient to confer jurisdiction upon the Court of Criminal Appeals of such appeals, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Senator Skinner offered the following amendment:

Amend by inserting after the word "amended" in Section 5 of the bill as amended and engrossed, the words, "or substituted."

The amendment was adopted by the following vote:

## Yeas—25.

Barrett.	Holland.
Brachfield.	Looney.
Chambers.	Martin.
Faust.	McKamy.
Glasscock.	Paulus.
Griggs.	Skinner.
Grinnan.	Smith.
Hale.	Stafford.
Hanger.	Stokes.
Harper.	Stone.
Hawkins.	Terrell.
Hicks.	Willacy.
Hill.	

## Absent.

Beaty.	Faulk.
Davidson.	Harbison.
Decker.	

## Absent—Excused.

Meachum.

Senator Hale offered the following amendment:

Amend the bill by striking out the word "five" wherever it occurs in the bill and substitute therefor the word "ten."

The amendment was lost by the following vote:

## Yeas—15.

Barrett.	Hicks.
Chambers.	Hill.
Faust.	Holland.
Glasscock.	McKamy.
Griggs.	Skinner.
Hale.	Stafford.
Hanger.	Willacy.
Harper.	

## Nays—9.

Brachfield.	Paulus.
Grinnan.	Smith.
Hawkins.	Stokes.
Looney.	Stone.
Martin.	

## Absent.

Beaty.	Faulk.
Davidson.	Harbison.
Decker.	Terrell.

## Absent—Excused.

Meachum.

The bill was read third time and passed by the following vote:

## Yeas—18.

Barrett.	Hill.
Faust.	Holland.
Glasscock.	Looney.
Griggs.	McKamy.
Grinnan.	Paulus.
Hale.	Skinner.
Hanger.	Stafford.
Harper.	Terrell.
Hicks.	Willacy.

## Nays—7.

Brachfield.	Smith.
Chambers.	Stokes.
Hawkins.	Stone.
Martin.	

## Absent.

Beaty.	Faulk.
Davidson.	Harbison.
Decker.	

## Absent—Excused.

Meachum.

Senator Hale moved to reconsider the vote by which the bill was passed, and lay that motion on the table. The motion to table prevailed.

## ADJOURNMENT.

On motion of Senator Skinner the Senate, at 1 o'clock p. m., adjourned until tomorrow at 10 o'clock a. m.

## Committee Room.

Austin, Texas, Feb. 8, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Public Land and Land Office, to whom was referred House bill No. 190, a bill to be entitled "An Act to authorize and require the Attorney General to bring suits for the value of timber destroyed, used and otherwise appropriated by persons and corporations on public free school, university, asylum and other public lands of the State; to fix the venue of said suits; to require the Commissioner of the General Land Office and County Attorney to report to the Attorney General, and to fix compensation of said officers for said services."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HILL, Chairman.

Committee Room,

Austin, Texas, February 8, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 21, a bill to be entitled "An Act requiring all railway corporations operating a line of railway in the State of Texas to place switch lights on all of their main line switches, and to keep the same lighted from sunset until sunrise, and requiring all railway corporations operating a line of railway in the State of Texas to place derailing switches on all of their sidings connecting with main lines and upon which sidings cars are left standing, and providing penalties and remedies for the violation of any of the provisions of this act, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

McKAMY, Chairman.

Committee Room,

Austin, Texas, February 9, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Public Health, to whom was referred

Senate bill No. 140, a bill to be entitled "An Act to regulate the sale of cocaine and other drugs, to regulate the issuance of prescriptions for such drugs, to require persons selling such drugs upon prescriptions to file same and keep it subject to the inspection of the public, and to provide penalties for the violation thereof, and repealing all laws in conflict herewith,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HARPER, Chairman.

Committee Room,

Austin, Texas, February 9, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 152, being "An Act authorizing under certain conditions the county commissioners court to provide private roadways; and declaring an emergency,"

And find the same correctly engrossed.

BARRETT, Chairman.

Committee Room,

Austin, Texas, February 8, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 63, being "An Act

to compel railroads and railway corporations to erect and maintain water closets at passenger stations, to regulate the same, to fix penalties and authorize suits therefor, with an emergency clause,"

And find the same correctly engrossed.

BARRETT, Chairman.

Committee Room,

Austin, Texas, February 8, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 149, being "An Act to entitle a defendant convicted of a felony to enter into a recognizance or bail bond pending his appeal, and prescribing the requisites of a recognizance or bail bond sufficient to confer jurisdiction upon the Court of Criminal Appeals of such appeals, repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

And find the same correctly engrossed.

BARRETT, Chairman.

Committee Room,

Austin, Texas, February 7, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Engrossed bills have carefully examined and compared

Senate Substitute bill No. 43, being "An Act relating to State and county finances, providing for a system of State and county depositories for State and county funds, and to repeal all laws and parts of laws in conflict herewith,"

And find the same correctly engrossed.

BARRETT, Chairman.

Committee Room,

Austin, Texas, February 8, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 146, being "An Act to amend Article 2462, Title XLV, Chapter 3, of the Revised Statutes of 1895,"

And find the same correctly engrossed.

BARRETT, Chairman.

Committee Room,

Austin, Texas, February 9, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 136, being "An Act to amend Articles 3380 and 5060g of the Revised Statutes of Texas of

1895, regulating bonds of liquor dealers."

And find the same correctly engrossed.

BARRETT, Chairman.

#### TWENTY-FOURTH DAY.

Senate Chamber,

Austin, Texas, Friday, Feb 10, 1905.

Senate met pursuant to adjournment, Lieutenant Governor Geo. D. Neal in the chair.

Roll call, quorum present, the following Senators answering to their names:

Barrett.	Hicks.
Beaty.	Hill.
Brachfield.	Holland.
Chambers.	Looney.
Decker.	Martin.
Faust.	McKamy.
Glasscock.	Skinner.
Grinnan.	Stafford.
Hale.	Stokes.
Hanger.	Stone.
Harper.	Willacy.
Hawkins.	

#### Absent.

Davidson.	Paulus.
Faulk.	Smith.
Griggs.	Terrell.
Harbison.	

#### Absent—Excused.

Meachum,

Prayer by the Chaplain, Rev. H. H. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Hill, the same was dispensed with.

(See Appendix for committee reports.)

#### PETITIONS AND MEMORIALS.

Senator Grinnan offered the following petitions:

Believing that our district judges are inadequately compensated for their services, we the undersigned members of the bar and officers of McCulloch county, Texas, endorse the bill now pending before the Legislature to increase their salary to three thousand five hundred dollars, and request our Senator and Representative

to actively support the same, or any similar measure.

Members of the Bar—Joe A. Adkins, W. McShan, Walter Anderson, J. W. Matthews, Shropshire & Hughes, F. W. Newman, C. A. Wright.

County Officers—Joe A. Adkins, County Judge; H. P. Jordan, County Clerk; J. C. Wall, County Collector; H. S. Espy, County Assessor; H. P. Jordan, District Clerk.

Also, members of the bar of Mills county as follows:

R. L. H. Williams, Leonard Doughty, J. L. Lewis.

County Officers—L. E. Pattinen, County Judge; E. G. Crawford, County Clerk; A. T. Pribble, County Attorney; R. J. Atkinson, County Collector and Sheriff; J. B. Bains, County Assessor; G. W. Templin, County Treasurer; E. G. Crawford, District Clerk.

Also signed by members of bar of Brown county:

C. L. McCartney, R. E. Lee, E. J. Miller, A. E. Wilson, E. C. Harrell, R. L. McGaugh, E. S. J. Whitehead, G. N. Morrison, Will J. Scott, City Attorney, George B. Savage, A. M. Brumfield, T. C. Wilkinson, R. P. Conner, Robt. L. Russell.

County Officers—S. C. Coffee, County Judge; W. D. McChristy, County Clerk; Will A. Bell, County Collector; Marion Cox, County Assessor; W. N. Adams, County Treasurer; Dee A. Hise, District Clerk; M. H. Dennidie, Sheriff.

#### EXCUSED.

On motion of Senator Faust, Senator Harbison was excused from attendance upon the Senate for today on account of business.

#### BILLS AND RESOLUTIONS.

By Senator Glasscock:

Senate bill No. 189, a bill to be entitled "An Act to amend Articles 3498f, 3498g and 3498i, and to repeal Article 3498m, Revised Civil Statutes, relating to the sale of mineral land."

Read first time, and referred to the Committee on Mining and Irrigation. By Senator Stone:

Senate bill No. 190, a bill to be entitled "An Act to amend Sections 3295, 3296 and 3303, Chapter 2, Title LXVI, Revised Civil Statutes of the State of Texas."

Read first time, and referred to the Judiciary Committee No. 1.